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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

SEP 27 2011

Mr. John Tedesco, Safety and Environmental Manager  
Green Mountain Power Corporation  
163 Acorn Lane  
Colchester, Vermont 05446

Re: PCB Cleanup and Disposal Approval under §§ 761.61(a) and (c)  
Green Mountain Power Plant #4 - Montpelier, Vermont

Dear Mr. Tedesco:

This is in response to the Green Mountain Power Corporation (GMP) Notification<sup>1</sup> to address PCB-contaminated building materials at the GMP Plant Number 4 (the Site) located on Gallison Hill Road, Montpelier, Vermont. The Site contains PCBs at concentrations that exceed the allowable PCB levels for unrestricted use under the federal PCB regulations at 40 CFR § 761.61(a). GMP has requested an approval to clean up and dispose of the PCB-contaminated building materials located at the Site under the PCB self-implementing cleanup and disposal option (SIP) at 40 CFR § 761.61(a).

In the Notification, GMP is proposing the following PCB cleanup and disposal activities:

- Remove interior building materials (e.g. certain concrete flooring, work benches, wall board, and wood floor decking) and dispose as a greater than or equal to ( $\geq$ ) 50 part per million (ppm) PCB waste at a TSCA-approved disposal facility or a RCRA hazardous waste landfill in accordance with §§ 761.61(a)(5)(i)(B)(2)(iii);
- Dispose of drained electrical equipment as a  $\geq$ 50 ppm PCB waste at a TSCA-approved disposal facility or a RCRA hazardous waste landfill and dispose of drained oil in accordance with § 761.60;

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<sup>1</sup>Information was submitted on behalf of Green Mountain Power Corporation by ECS. The information was provided to satisfy the notification requirement under 40 CFR § 761.61(a)(3). Information was provided dated June 14, 2011 (SIP) and September 12, 2011 (modified SIP and Response to EPA Comments). These submittals will be referred to as the "Notification."

- Remove *porous surfaces* (e.g., structural concrete, brick, mortar, and wood beams/columns) with greater than ( $>$ ) 1 ppm but less than ( $<$ ) 50 ppm PCBs and dispose of in accordance with § 761.61(a)(5)(i)(B)(2)(ii);
- Decontaminate *non-porous surfaces* (i.e., unpainted structural steel beams and metal roofing) to less than or equal to ( $\leq$ ) 10  $\mu\text{g}/100\text{ cm}^2$  for recycling in a smelter or disposal at a non-hazardous waste landfill; and,
- Conduct post-demolition soil sampling to confirm PCB concentrations in the soil.

With the exception of the characterization sampling frequency, the information provided meets the Notification requirements under § 761.61(a). Based on the results of the PCB sampling and the proposed cleanup and disposal approach, EPA has determined that the characterization sampling frequency is adequate to delineate PCB-contaminated wastes for off-site disposal. EPA finds that the activities proposed by GMP will create no unreasonable risk when conducted in accordance with the Notification and this Approval. EPA may approve the characterization sampling for off-site disposal under § 761.61(c).

GMP may proceed with its cleanup in accordance with 40 CFR §§ 761.61(a) and (c); its Notification; and this Approval, subject to the conditions of Attachment 1.

This Approval only addresses cleanup and disposal of the *PCB remediation waste* identified in the Notification. This Approval does not provide for cleanup and disposal of PCB-contaminated soils since sampling will occur following building demolition (see Attachment 1, Condition 1).

This Approval does not release GMP from any applicable requirements of federal, state or local law, including the requirements related to cleanup and disposal of PCB-contaminated soils and water under the Vermont Department of Environmental Conservation (VT DEC) regulations.

Questions and correspondence regarding this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator  
 United States Environmental Protection Agency  
 5 Post Office Square, Suite 100  
 Mail Code: OSRR07-2  
 Boston, Massachusetts 02109-3912  
 Telephone: (617) 918-1527  
 Facsimile: (617) 918-0527

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

A handwritten signature in black ink, appearing to read "JTO", with the letters "FOR JTO" written in smaller text below the signature.

James T. Owens III, Director  
Office of Site Remediation & Restoration

cc: L. Woodard, ECS  
G. Noyes, VT DEC  
File

Attachment 1- Approval Conditions

**ATTACHMENT 1:**

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS  
GREEN MOUNTAIN POWER CORPORATION PLANT NUMBER 4  
GALLISON HILL ROAD  
MONTPELIER, VERMONT**

**GENERAL CONDITIONS**

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB remediation waste* located at the Site and identified in the Notification.
  - a. This Approval does not address the cleanup of PCB-contaminated soils as sampling of the soils will be conducted following completion of building demolition.
  - b. Upon completion of the soil investigation, if PCBs are identified at greater than (>) 1 part per million (ppm), Green Mountain Power Corporation (GMP) may request a modification to this Approval to incorporate cleanup of the soils under this Approval (see Condition 15) or GMP may submit a separate cleanup plan in accordance with 40 CFR § 761.61.
2. GMP shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. GMP must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, GMP shall contact EPA within 24 hours for direction on sampling and cleanup requirements.
6. GMP is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time GMP has or receives information indicating that GMP or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.

7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by GMP are authorized to conduct the activities set forth in the Notification. GMP is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.
8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release GMP from compliance with any applicable requirements of federal, state or local law; or 3) release GMP from liability for, or otherwise resolve any violations of federal, state or local law.

#### **NOTIFICATION AND CERTIFICATION CONDITIONS**

9. This Approval may be revoked if the EPA does not receive written notification from GMP of its acceptance of the conditions of this Approval within 10 business days of receipt.
10. GMP shall notify EPA in writing of the scheduled date of commencement of on-site activities at least 1 business day prior to conducting any work under this Approval.
11. Prior to initiating onsite work under this Approval, GMP shall submit the following information:
  - a. a certification signed by its selected remediation contractor, stating that the contractor has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
  - b. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the sample extraction, analytical and quality assurance requirements specified in the Notification and in this Approval; and,
  - c. a contractor work plan, prepared and submitted by the selected contractor(s), detailing the procedures that will be employed for removal of PCB-contaminated wastes and for containment during removal activities. This work plan should also include information on waste storage, handling, and disposal for each waste stream type and for equipment decontamination.

## **REMEDIAL AND DISPOSAL CONDITIONS**

12. The decontamination standard for *non-porous surfaces* (e.g., structural steel components including unpainted steel beams and the metal roof) shall be less than or equal to  $(\leq) 10 \mu\text{g}/100 \text{ cm}^2$  PCBs for recycling.
  - a. All post-decontamination verification sampling of *non-porous surfaces* shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR § 761.123 (i.e.,  $\mu\text{g}/100 \text{ cm}^2$ ) in accordance with 40 CFR 761 Subpart P.
  - b. For decontaminated *non-porous surfaces* that have PCB concentrations exceeding the decontamination standard, GMP may conduct additional decontamination to achieve the required decontamination standard or must store and dispose of these wastes as TSCA-regulated waste in accordance with 40 CFR Part 761.
  - c. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction/analytical method(s) is validated according to Subpart Q.
13. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5), unless otherwise specified below:
  - a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).
  - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
  - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

## **INSPECTION, MODIFICATION AND REVOCATION CONDITIONS**

14. GMP shall allow any authorized representative of the Administrator of the EPA to inspect the Site, to inspect records, and to take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by GMP to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.

15. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
16. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
17. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
18. Approval for these activities may be revoked, modified or otherwise altered: if EPA finds a violation of the conditions of this Approval or of 40 CFR Part 761, including EPA's PCB Spill Cleanup Policy, or other applicable rules and regulations; or, if EPA finds that these activities present an unreasonable risk to public health or the environment.

#### **RECORDKEEPING AND REPORTING CONDITIONS**

19. GMP shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the cleanup and the analytical sampling shall be established and maintained by GMP in one centralized location until such time as EPA authorizes, in writing, an alternative disposition for such records. All records shall be made available for inspection by authorized representatives of EPA.
20. GMP shall submit a final report (hard copy and CD) to EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the cleanup and disposal activities; characterization and confirmation sampling analytical results (as applicable); copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of and the size of the remediated area(s); copies of manifests and bills of lading; and copies of certificates of disposal or similar certifications issued by the disposer.



21. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator  
United States Environmental Protection Agency  
5 Post Office Square, Suite 100  
Mail Code: OSRR07-2  
Boston, Massachusetts 02109-3912

22. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self disclosure or penalty policies.

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**END OF ATTACHMENT 1**